

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Competitive Product Prices
United States Postal Service Contractual Bilateral
Agreement – FY20-3
(MC2020-34)
Negotiated Service Agreement

Docket No. CP2020-211

PUBLIC REPRESENTATIVE COMMENTS IN RESPONSE TO
UNITED STATES POSTAL SERVICE FILING FUNCTIONALLY
EQUIVALENT INBOUND COMPETITIVE MULTI-SERVICE AGREEMENT
WITH FOREIGN POSTAL OPERATOR – FY20-3

(July 9, 2020)

The Public Representative hereby provides comments pursuant to the Commission's Notice and Order in this docket.¹ In that Notice, the Commission established the above referenced docket to receive comments from interested persons, including the undersigned Public Representative, on a Postal Service Request to add Inbound Competitive Multi-Service Agreements with Foreign Postal Operators Agreement – F20-3 to the competitive product list.² The Postal Service's Request includes a Statement of Supporting Justification, a certification of compliance with 39 U.S.C. § 3633(a), and a copy of Governor's Decision No. 19-1.

According to the Postal Service, Agreement – F20-3 is a competitive product "not of general applicability" within the meaning of 39 U.S.C. § 3642(b)(1)-(2). *Request* at 2.

¹ Order No. 5575 – Notice and Order Concerning Postal Service Filing of Inbound Competitive Multi-Service Agreement with Foreign Postal Operator-FY20-3, July 1, 2020 (Notice).

² Notice of United States Postal Service of Filing Functionally Equivalent Inbound Competitive Multi-Service Agreement with Foreign Postal Operator – FY20-3, June 30, 2020 (Request).

The Postal Service also maintains that the prices and classification underlying the agreement are supported by Governors' Decision No. 19-1.³ The contract's effective date is July 1, 2020. *Request* at 6. The Postal Service recognizes that it submitted this agreement without giving the Commission enough time to review before the intended effective date, but maintains that due to the nature of the settlement for this agreement, the effect will be negligible. *Request* at 1-2. The Public Representative is inclined to agree. The contract is to expire December 31, 2020, unless terminated early. *Request* at 6.

Comments

The Public Representative has reviewed the agreement and the Statement of Supporting Justification. Based upon that review, the Public Representative concludes that Agreement – F20-3 should be categorized as a competitive product and added to the competitive product list.

The Postal Service makes a number of assertions that address the considerations of section 3642(b)(1). These assertions appear reasonable. Based upon these assertions, the Public Representative concludes that the Postal Service's Request to add Agreement – F20-3 to the competitive product list is appropriate.

³ Decision of the Governors of the United States Postal Service on Establishment of Prices and Classifications for Domestic Competitive Agreements, Outbound International Competitive Agreements, Inbound International Competitive Agreements, and Other Non-Published Competitive Rates, February 7, 2019 (Governors' Decision No. 19-1).

The Public Representative respectfully submits the foregoing comments for the Commission's consideration.

Christopher Mohr
Public Representative

901 New York Ave. NW
Washington, DC 20268-0001
202-789-6857
Christopher.Mohr@prc.gov